

(3) When the annual limit has been met, the Administrator may issue additional test orders for those configurations for which evidence exists indicating noncompliance. An SEA test order issued on this basis will include a statement as to the reason for its issuance.

[54 FR 14559, Apr. 11, 1989]

**§ 86.1003–97 Test orders.**

Section 86.1003–97 includes text that specifies requirements that differ from those specified in § 86.1003–90. Where a paragraph in § 86.1003–90 is identical and applicable to § 86.1003–97, this may be indicated by specifying the corresponding paragraph and the statement “[Reserved]. For guidance see § 86.1003–90.”

(a) through (f) [Reserved]. For guidance see § 86.1003–90.

(g) In the event evidence exists indicating an engine family is in noncompliance, the Administrator may, in addition to other powers provided by this section, issue a test order specifying the engine family the manufacturer is required to test.

[62 FR 31238, June 6, 1997]

**§ 86.1003–2001 Test orders.**

Section 86.1003–2001 includes text that specifies requirements that differ from § 86.1003–88. Where a paragraph in § 86.1003–88 is identical and applicable to § 86.1003–2001, this may be indicated by specifying the corresponding paragraph and the statement “[Reserved]. For guidance see § 86.1003–88.” Where a corresponding paragraph of § 86.1003–88 is not applicable, this is indicated by the statement “[Reserved].”

(a) through (c)(1)(ii) [Reserved]. For guidance see § 86.1003–88.

(c)(1)(iii) Heavy-duty vehicle manufacturers will be required to select a minimum of four vehicles per day unless an alternate selection procedure is approved pursuant to § 86.1007–84(a) or unless total production of the specified configuration is less than four vehicles per day. If total production of the specified configuration is less than four vehicles per day, the manufacturer will select the actual number of vehicles produced per day.

(2) The test order may include alternative configurations to be selected for testing in the event that engines or vehicles of the specified configuration are not available for testing because those engines or vehicles are not being manufactured during the specified time, or not being stored at the specified assembly plant or associated storage facilities.

(3) If the specified configuration is not being manufactured at a rate of at least four vehicles per day, in the case of light-duty truck manufacturers, two heavy-duty engines or heavy-duty vehicles, in the case of heavy-duty vehicle and heavy-duty engine manufacturers specified in § 86.1008–2001(g)(1), or one engine or heavy-duty vehicle per day, in the case of heavy-duty vehicle or engine manufacturers specified in § 86.1008–2001(g)(2), over the expected duration of the audit, the Assistant Administrator or a designated representative may select engines or vehicles of an alternate configuration for testing.

(4) In addition, the test order may include other directions or information essential to the administration of the required testing.

(d) A manufacturer may submit a list of engine families and, if applicable, evaporative/refueling families and the corresponding assembly plants or associated storage facilities from which the manufacturer prefers to have engines or vehicles selected for testing in response to a test order. In order that a manufacturer's preferred location be considered for inclusion in a test order for a configuration of a particular engine family and/or evaporative/refueling family, the list must be submitted prior to issuance of the test order. Notwithstanding the fact that a manufacturer has submitted the above list, the Administrator may, upon making the determination that evidence exists indicating noncompliance at other than the manufacturer's preferred plant, order testing at such other plant where vehicles of the configuration specified in the test order are assembled.

(e) Upon receipt of a test order, a manufacturer shall proceed in accordance with the provisions of this subpart.